

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

NOTICE

UNITED STATES OF AMERICA
vs.
(1) ERICK ALVAREZ

§ **Honorable Philip R. Martinez**
§ NO: EP:15-CR-00920(1)-PRM
§
§
§
§
§
§

TAKE NOTICE that the above-entitled case has been set in the United States District Court in El Paso, Texas as follows:

ARRAIGNMENT: Thursday, June 11, 2015 at 11:00 a.m. before U.S. Magistrate Judge
Robert F. Castaneda, U.S. Courthouse, 525 Magoffin Ave., El Paso, TX, Rm 612, 6th Fl.

DOCKET CALL: Wednesday, June 17, 2015 at 8:00 a.m. before U.S. District Judge,
Philip R. Martinez, U.S. Courthouse, 525 Magoffin Ave., El Paso TX, #622, 6th Floor.

(See Note Regarding the Waiver of Personal Appearance, below)

TRIAL: To be set at a later date

ALL ADDRESSEES on this notice (except those for information only) must appear in person unless excused from appearing by the Court. Defendants entering a plea of "Not Guilty" who wish to waive personal appearance at arraignment and their attorneys are excused from appearing if the enclosed waiver is executed and signed by both the defendant and the attorney of record, AND FILED BY 4:30 P.M. ON THE DAY PRECEDING THE SCHEDULED DAY OF ARRAIGNMENT. Take note that if the arraignment is before a United States Magistrate Judge, only a plea of "Not Guilty" may be accepted.

NOTE TO ATTORNEY FOR DEFENDANT: The official records in this case show a current address of the defendant. Since you communicate frequently with the defendant and thereby know changes to his/her address, it is requested that you promptly communicate the changes of address of your defendant-client to this office.

DATE: June 04, 2015

JEANNETTE J. CLACK, Clerk

A handwritten signature in blue ink, appearing to read "Roberto J. Velez", is written over a faint circular stamp.

Roberto J. Velez, Deputy Clerk

To: *DEFT*U.S. ATTORNEY*U.S. MARSHAL*U.S. PROBATION*U.S. PRETRIAL*U.S. MAGISTRATE

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

UNITED STATES OF AMERICA

vs.

(1) ERICK ALVAREZ

§
§
§
§
§
§

NO: EP:15-CR-00920(1)-PRM

**WAIVER OF PERSONAL APPEARANCE AT ARRAIGNMENT
AND
ENTRY OF PLEA OF NOT GUILTY**

COMES NOW Defendant in the above referenced case who, along with his undersigned attorney, hereby acknowledges the following:

1.) Defendant has received a copy of the indictment or information in this case. Defendant understands the nature and substance of the charges contained therein, the maximum penalties applicable thereto, and his Constitutional Rights, after being advised of all the above by his attorney.

2.) Defendant understands he has the right to appear personally with his attorney before a Judge for arraignment in open Court on this accusation. Defendant further understands that, absent the present waiver, he will be so arraigned in open Court.

Defendant, having conferred with his attorney in this regard, hereby waives personal appearance with his attorney at the arraignment of this case and the reading of the indictment or information, and, by this instrument, tenders his plea of "not guilty". The defendant understands that the entry by the Court of said plea for defendant will conclude the arraignment in this case for all purposes.

Date: _____

Defendant

Attorney for Defendant

ORDER

APPROVED by the Court. A plea of "Not Guilty" is entered for defendant effective **this date**.

Date: _____

United States Magistrate Judge

WAIVER OF MINIMUM TIME TO TRIAL

3.) Defendant understands that he has a right to minimum period of time to trial so that trial shall not commence less than thirty (30) days from the date on which the defendant first appears through counsel or expressly waives counsel and elects to proceed pro se. Defendant further understands that, absent the present waiver, he will not be brought to trial during this thirty (30) days period.

Defendant, having conferred with his attorney in this regard, hereby **WAIVES** the requirement that trial shall not commence less than thirty (30) days from the date on which the defendant first appears through counsel or expressly waives counsel and elects to proceed pro se.

Date: _____

Defendant

Attorney for Defendant

**COURT INSTRUCTIONS REGARDING DOCKET CALL
HON. PHILIP R. MARTINEZ**

1. All defense and prosecution attorneys ordered to appear at Docket Call are expected to appear personally unless a written Court Order excusing your appearance is entered by the Court and received by the attorney.
2. The availability of an Administrative Pass in lieu of attending Docket Call is no longer available **in ANY CASE.**